

REMARKS

Claims 31-52 are pending in the application. Claims 38, 39, and 47 are amended to expedite prosecution of this application leading to issuance of a patent.

Withdraw of Office Action

Applicants thank the Examiner for formally withdrawing the November 19, 2002 Office Action and accepting Applicants' Preliminary Amendment filed November 13, 2001.

Allowable Subject Matter

Applicants thank the Examiner for the indication that claims 44-46, 51, and 52 are allowed and that claims 49 and 50 would be allowable if rewritten in independent form.

Double Patenting Rejection

Claims 31-35 are rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-19 of U.S. Patent No. 5,689,229 (*Chaco, et al.*). Claims 36 and 37 are rejected under the judicially created doctrine of obviousness-type double patenting over claims 21 and 26, respectively, of U.S. Patent No. 5,594,786 (*Chaco, et al.*).

In order to expedite prosecution of the present application, and without acquiescing in the Examiner's rejection, Applicants submit herewith a terminal disclaimer to overcome these rejections.

Claim Rejections Under 35 U.S.C. § 102(e)

Claims 38, 39, 41, and 42 are rejected under 35 U.S.C. § 102(e) as being anticipated by *Novak et al.* (U.S. Patent No. 5,561,412).

Independent claim 38 is amended to incorporate subject matter from claim 51, which the Examiner has indicated is allowed. Specifically, claim 38 is amended to recite "the central station is configured to activate the remote stations." Accordingly, Applicants submit that claim 38 is in condition for allowance.

Independent claim 39 is amended to incorporate subject matter from claim 44, which the Examiner has indicated is allowed. Specifically, claim 39 now recites "means for allowing the remote stations to continue to operate if the central station fails." Accordingly, Applicants submit that claim 39, and claims 40-43 depending therefrom, are in condition for allowance.

Claims Rejections Under 35 U.S.C. § 103(a)

Claims 40, 43, 47, and 48 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Novak et al.* (U.S. Patent No. 5,561,412). Claims 40 and 43 depend from independent claim 39, which, as amended, Applicants believe to be allowable as discussed above. Therefore, Applicants respectfully request that the rejection be withdrawn as to claims 40 and 43.

Independent claim 47 is amended to incorporate subject matter from claims 49 and 50, which the Examiner has indicated are allowable if presented in independent form. Specifically, Applicants have amended claim 47 to recite “a central station adapted to poll the remote stations to transfer a message frame.” Accordingly, Applicants respectfully submit that claim 47 is now in condition for allowance.


Claim 48 depends from claim 47, which, as amended, Applicants believe to be in condition for allowance. Therefore, Applicants respectfully request that the rejection also be withdrawn as to claim 48.

Final Remarks

Applicants respectfully submit that claims 31-52 are now in condition for allowance. Such allowance is respectfully requested. If the Examiner disagrees with any of Applicants' arguments, the Examiner is kindly requested to point out with particularity the reasons for such disagreement, in the claims or in the cited references.

Applicants request that any required fees needed beyond those submitted with this Response be charged to the account of Bose McKinney & Evans, Deposit Account No. 02-3223.

Respectfully submitted,
BOSE McKINNEY & EVANS


Christine E.M. Orich
Registration No. 44,987

Indianapolis, Indiana

612574_1